



Rule Up For Final Action

Proposed Amendment of

WAC 230-02-205

Gambling service supplier defined.

ITEM 12 (a) on the September 10, 2004, Commission Meeting Agenda.	Statutory Authority 9.46.070
Who proposed the rule change?	
Staff.	
Why is this rule change needed?	
<p>Recorded surveillance is an integral part of a card room's security and control features. Individuals and businesses with access to a digital surveillance system's operating system or data files are in a position to manipulate the system. Currently, we have no recourse against these people. Therefore, staff recommends licensure of businesses and individuals that have access to the operating system or data files of digital surveillance. Licensing this new group will enhance our regulatory program to protect the public by running background checks to ensure they are qualified to work in the gambling industry.</p> <p>Currently, two house-banked card rooms and one Tribal casino are using only digital surveillance, as opposed to analog surveillance. Four operations are using both digital and analog surveillance; three house-banked card rooms and one Tribal casino. Twenty-one organizations are looking into installing digital surveillance. The numbers of those interested in digital surveillance are growing. Therefore, having rules regulating surveillance installers will be an important part of our regulatory program.</p> <p>If this amendment is adopted, a new group of people will be licensed and added to our regulatory program.</p> <p><u>Change made after the August meeting:</u></p> <p>In response to the Recreational Gaming Association's (RGA) letter dated July 15, 2004, the language "includes access" was changed to "allows direct access" to clarify that the person requiring licensure is the one performing duties that allow them direct access to the operating system. These individuals would have the ability to manipulate the data files.</p>	
Statements against the proposed rule change (attached).	
<p><u>Received after the August meeting:</u></p> <p>1) Letter dated August 23, 2004, from the Associated Builders and Contractors, Inc. opposing the proposed amendment (Green paper).</p> <p>2) Letter dated July 15, 2004, from the RGA requesting a change to the language of the proposed amendment. <i>Staff has responded verbally to the RGA regarding their letter. Furthermore, the RGA has indicated they support adding "direct" to subsection (1)(f).</i></p>	
Which licensees will be directly impacted?	
Card rooms utilizing digital surveillance, and businesses and individuals that would require licensure.	
What are the potential impacts to the agency?	
Some, as a new type of business and their representatives will require licensure.	
Staff recommendation.	
Adoption.	
Proposed effective date.	
January 1, 2005.	